

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF ARKANSAS  
FORT SMITH DIVISION**

**RACHEL CLARK, CHRISTOPHER GARRETSON,  
AMANDA SHARP BURKHOLDER, NICOLE  
HALLER NAVA, BRANDI O'HARA, ASHLEY  
FENTON PRICE, AND CHARLA BEAUMONT  
VIENS, INDIVIDUALLY AND AS NEXT FRIEND  
OF H.B., A MINOR**

**PLAINTIFFS**

**v.**

**CASE NO. 2:17-CV-2091-TLB**

**KURT KNICKREHM, RICHARD WEISS,  
DEBBIE WILLIAMS, DICK PICKARTS,  
NIKKOLE HURST, CAROL GILLIS,  
PATSY CHASE, ROBBIE MCKAY, AND  
LISA GARRETSON**

**DEFENDANTS**

**BRIEF IN SUPPORT OF MOTION TO DISMISS  
BY SEPARATE DEFENDANT DEBBIE WILLIAMS**

Separate Defendant Debbie Williams respectfully submits this brief in support of her motion to dismiss pursuant to Fed. R. Civ. P. 12(b)(1) and 12(b)(6). The Complaint as asserted against Williams fails for the same reasons that it should be dismissed as asserted against the other defendants. Accordingly, Williams joins, adopts, and incorporates by reference the briefs in support of the motions to dismiss filed by the other defendants (DE 13 and 17) pursuant to Fed. R. Civ. P. 10(c).

In a hearing held on August 24, 2017, the Court agreed with Defendants that the Plaintiffs' original and proposed amended complaints contained a number of pleading deficiencies. But the Court granted the Plaintiffs leave to file an amended complaint to cure the pleading deficiencies identified by the Court by November 3,

2017. (DE 45). Williams believes that, because the Court agrees that the original Complaint fails to meet federal pleading standards, the Court should, at a minimum, dismiss the Complaint without prejudice.

### **CONCLUSION**

For these reasons, along with the reasons fully explained in the other defendants' motions to dismiss and briefs in support, the Court should dismiss Plaintiffs' Complaint as asserted against Williams.

Respectfully submitted,

LESLIE RUTLEDGE  
Attorney General

By: /s/ Jennifer L. Merritt  
Jennifer L. Merritt (Ark. Bar No. 2002148)  
Senior Assistant Attorney General  
Arkansas Attorney General's Office  
323 Center Street, Suite 200  
Little Rock, AR 72201  
Phone: (501) 682-1319  
Fax: (501) 682-2591  
Email: Jennifer.Merritt@ArkansasAG.gov

*Attorneys for Separate Defendant Debbie  
Williams*

**CERTIFICATE OF SERVICE**

I, Jennifer L. Merritt, do hereby certify that on this 22<sup>nd</sup> day of September, 2017, I electronically filed the foregoing with the Clerk of Court using the CM/ECF filing system, which shall send notification of the filing to any participants.

/s/ Jennifer L. Merritt  
Jennifer L. Merritt